

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FUJII *et al.*

Appl. No.: 10/626,828

Filed: July 25, 2003

For: **Dispensing Device, Dispensing
Method and Method of Detecting
Defective Discharge of Solution
Containing Biological Sample**

Confirmation No.: 8717

Art Unit: 1743

Examiner: Paul Sang Hwa Hyun

Atty. Docket: 1089.0490000/MAC/JHH

Reply to Requirement For Election of Species

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated April 18, 2006, Applicants hereby provisionally elect species I, sub-species 3, and sub-sub-species A. Claims 1, 2, 5, 6, 8-12, 18-22 and 25-27 read on such election. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

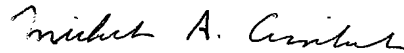
Applicants assert the right to claim additional species in the event that a generic claim thereto is found to be allowable in accordance with 37 C.F.R. § 1.141(a). This election is made **without traverse**. Consideration and allowance of all pending claims, are respectfully requested.

It is believed that extensions of time are not required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any

fees required therefor are hereby authorized to be charged to our Deposit Account
No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michele A. Cimballa
Attorney for Applicants
Registration No. 33,851

Date: May 16, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
533261